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HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road, P.O. Box 9133  
Concord, MA 01742-9133

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

**FACSIMILE COVER SHEET**

**Examiner:** Office of Initial Patent Examination  
Customer Service Center

**Date:** June 24, 2004

**Client Code:** 3567

**Facsimile No.:** 703-746-9195

**From:** Joseph M. Maraia, Esq.

**Subject:** Request for Corrected Filing Receipt

**Docket No.:** 3567.1001-000

**Applicants:** Dimiter S. Zagoroff

**Application No.:** 10/698,969

**Filing Date:** October 31, 2003

Number of pages including this cover sheet: 6

Please confirm receipt of facsimile: Yes X No     

**Sir:**

Please see attached Request for Corrected Filing Receipt For Utility Application, with accompanying materials.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dimiter S. Zagoroff

Application No.: 10/698,969

Group: 3612

Filed: October 31, 2003

Examiner: Not Assigned

Confirmation No.: 8813

For: METHOD AND APPARATUS FOR REMOTE OPENING OF A TAILGATE

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>JUNE 24, 2004</u>	<u>Christine A. Budd</u>
Date	Signature
<u>CHRISTINE A. BUDD</u>	
Typed or printed name of person signing certificate	

**REQUEST FOR CORRECTED FILING RECEIPT**  
**FOR UTILITY APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We hereby request that the following items of information be deleted from the Updated Filing Receipt for the subject application received in this office on May 24, 2004.

An error/inconsistency in priority data exists in that the above referenced application is related, but does not claim the benefit of, the applications as listed on the Updated Filing Receipt.

The errors and corrections appear below.

Please delete all the references which claim benefit, as listed below the subheading "Domestic Priority data as claimed by applicant".

10/698,969

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Enclosed are copies of the Filing Receipt with changes noted in red and a copy of the first page of the specification showing Related Applications only.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Joseph M. Maraia

Registration No.: 55,926

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 6/24/04



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/698,969	10/31/2003	3612	450	3567.1001-000	5	17	3

CONFIRMATION NO. 8813

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HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P.O. BOX 9133  
CONCORD, MA 01742-9133

UPDATED FILING RECEIPT

10/31/2003 10:31:00 AM  
"OC000000012741452"

Date Mailed 05/21/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Dimitar S. Zagoroff, Lincoln, MA:

## Domestic Priority data as claimed by applicant

~~This appin claims benefit of 60/490,883 07/29/2003~~  
~~and claims benefit of 60/505,654 10/07/2003~~  
~~(\*)Data provided by applicant is not consistent with PTO records~~

## Foreign Applications

If Required, Foreign Filing License Granted: 01/31/2004

Projected Publication Date: 02/03/2005

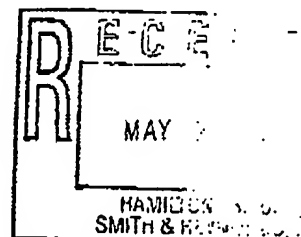
Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Method and apparatus for remote opening of a tailgate



**Preliminary Class**

296

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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JMS/JMM/ps  
10/31/03**COPY**PATENT APPLICATION  
Docket No. 3567.1001-000

- 1 -

Date. <u>10/31/03</u>	Express Mail Label No. <u>EV052031405US</u>
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Inventor: Dimiter S. Zagoroff  
Attorney's Docket No.: 3567.1001-000

## METHOD AND APPARATUS FOR REMOTE OPENING OF A TAILGATE

### RELATED APPLICATIONS

This application is related to U.S. Application No. 10/417,414, filed April 15, 2003; U.S. Application No. 10/121,747, filed April 12, 2002; U.S. Provisional Application No. 60/290,817, filed June 4, 2001; U.S. Provisional Application No. 60/490,883, filed July 30, 2003; and U.S. Provisional Application No. 60/509,654, filed October 9, 2003, the entire teachings of which are herein incorporated by reference.

### BACKGROUND OF THE INVENTION

10 Electro-mechanical actuators are commonly used to unlatch doors in cars that have been styled to cover up the outside door handles. In the styling trade they are known as "poppers", and their primary purpose is to achieve a sleek appearance by eliminating the outside door handles. Their application to the tailgate of a pickup truck has been limited due to the resulting crash opening of the tailgate. Unlike the doors of a

15 car, which are hinged vertically, tailgates are hinged horizontally along the bottom edge. Once a car door is unlatched, the door merely cracks open and remains in the cracked position until it is fully opened or closed manually. Once a tailgate is unlatched however, the spring loaded latch bolts flip it out, and gravity then pulls to the fully open position. Due to the heavy weight of the tailgate, typically exceeding 50 pounds, the

20 ensuing crash is quite violent, like a drop hammer in nature, prone to damaging the truck, and potentially lethal to any bystander, child or pet.